

Attorney's Docket No. 2347

IP  
JUL 22 2001

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COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one)

original  
 design

(check one, if applicable)  
 national stage of PCT  
 supplemental

divisional  
 continuation  
 continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION  
SECOND GENERATION COIL FASTENER APPLIER WITH MEMORY RING**

**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b) or (c))

- (a)  is attached hereto.  
(b)  was filed in the USPTO on October 23, 2001 as  Serial No. 10/053,889.  
or  Express Mail No. \_\_\_\_\_, as Serial No. not yet known  
and was amended \_\_\_\_\_ (if applicable).  
(c)  was described and claimed in PCT International Application No. \_\_\_\_\_ filed on  
and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

**FOREIGN PRIORITY CLAIM**

[ ] I hereby claim foreign priority benefits under Title 35, U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) [ ] no such applications have been filed.  
(e) [ ] such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 35 USC 119
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[ ] YES [ ] NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
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**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. §120**

[x] I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT international application(s) designating the United States of America that are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §120, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Prior U.S. Application(s) or PCT International Application(s) Designating the U.S. For Benefit Under 35 U.S.C. §120.

**U. S. APPLICATIONS**

Serial No.	Filing Date	Status (issued, pending or abandoned)
60/130,922	23 April 1999	Abandoned

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**PCT APPLICATIONS DESIGNATING THE U.S.**

PCT Application No.	PCT filing date	U.S. Serial Nos. assigned (if any)	Status (patented, pending, abandoned)
PCT/US/00/10921	21 April 2000		Pending

---

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As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

**DAVID KORIS**, Reg. No. 30,908; **DOUGLAS E. DENNINGER**, Reg. No. 31,752; **PAUL R. AUDET**, Reg. No. 26,439; and **MARK FARBER**, Reg. No. 34,159 each of them of United States Surgical, a division of TYCO HEALTHCARE GROUP LP.

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Paul R. Audet, Esq.  
United States Surgical, a division of  
TYCO HEALTHCARE GROUP LP  
150 Glover Avenue  
Norwalk, Connecticut 06856

Direct Telephone Calls To:

Paul R. Audet, Esq.  
(203) 845-1480

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

Full name of sole or first inventor Ernest Aranyi

Inventor's signature Ernest Aranyi

Date 6-19-02 Country of Citizenship US

Residence 170 Stepney Road, Easton, CT 06612

Post Office Address \_\_\_\_\_

Full name of second inventor Frank M. Rende, III

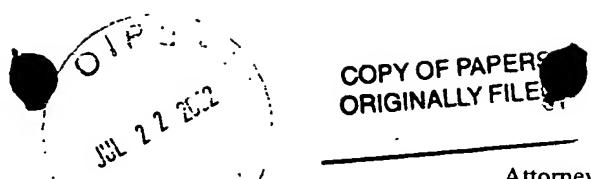
Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship US

Residence 10 Franklin Avenue, Westport, CT 06880

Post Office Address \_\_\_\_\_

Check here for added signature pages for third and subsequent inventors. Number of added pages is \_\_\_\_\_.



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Inventor's signature \_\_\_\_\_  
Date \_\_\_\_\_ Country of Citizenship US  
Residence 170 Stepney Road, Easton, CT 06612  
Post Office Address \_\_\_\_\_

Full name of second inventor Frank M. Rende, III  
Inventor's signature Frank M. Rende III  
Date 7-12-02 Country of Citizenship US  
Residence 10 Franklin Avenue, Westport, CT 06880  
Post Office Address \_\_\_\_\_

[ ] Check here for added signature pages for third and subsequent inventors. Number of added pages is \_\_\_\_\_.